

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of

Amendment of Section 73.202(b),
Table of Allotments,
FM Broadcast Stations.
(Hugo, Colorado))
)
)
)
)
)MM Docket No. 01-91
RM-10096

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REPORT AND ORDER
(Proceeding Terminated)

Adopted: July 11, 2001

Released: July 20, 2001

By the Chief, Allocations Branch:

1. The Commission considers herein the Notice of Proposed Rule Making ("Notice") (DA 01-931) released April 13, 2001, issued in response to a petition filed by Alan Olson proposing the allotment of Channel 222A to Hugo, Colorado, as that community's first local aural transmission service. Petitioner filed comments reiterating his intention to apply for Channel Channel 222A if it is allotted to Hugo, as requested.¹

2. In view of the interest expressed in providing a first local aural transmission service to Hugo, Colorado, we will allot Channel 222A to that community, as requested.

3. As stated in the Notice, Channel 222A can be allotted to Hugo in conformity with the minimum distance separation requirements of Section 73.207(b)(1) of the Commission's Rules without a site restriction, utilizing city reference coordinates 39-08-10 NL and 103-28-10 WL.

4. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective September 4, 2001, the FM Table of Allotments, Section 73.202(b) of the Commission's Rules, IS AMENDED to include Hugo, Colorado, as follows:

<u>City</u>	<u>Channel No.</u>
Hugo, Colorado	222A

¹ Petitioner's comments were late filed. However, in accordance with Commission policy, the comments will be accepted for the purpose of expressing continuing interest in the proposal since the proceeding is uncontested. See Santa Isabel, Puerto Rico, 3 FCC Rcd 2336 (1988), aff'd, 4 FCC Rcd 3412 (1989); aff'd, sub nom. Amor Family Broadcasting v. FCC, 918 F.2d 960 (D.C. Cir. 1990).

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. A filing window for Channel 222A at Hugo, Colorado, will not be opened at this time. Instead, the issue of opening this allotment for auction will be addressed by the Commission in a subsequent Order.

7. For further information concerning the above, contact Nancy Joyner, Mass Media Bureau, (202) 418-2180. Questions related to the window application filing process for Channel 222A at Hugo, Colorado, should be addressed to the Audio Services Division, Mass Media Bureau, (202) 418-2700.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau